



ATTORNEYS AT LAW

90 PARK AVENUE
NEW YORK, NY 10016-1314
212.682.7474 TEL
212.687.2329 FAX
foley.com

WRITER'S DIRECT LINE
212.338.3528
rweisbein@foley.com EMAIL

CLIENT/MATTER NUMBER
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September 24, 2012

VIA ECF

Magistrate Judge Michael A. Hammer
Martin Luther King, Jr. Federal Building &
U.S. Courthouse
Court Room MLK 3C
50 Walnut Street
Newark, New Jersey 07101

Re: *Virtual Studios, Inc. v. Couristan, Inc., Case No. 11-cv-00427-JLL-MAH*

Dear Magistrate Judge Hammer:

We are counsel for defendant Couristan in the above referenced matter. We write this letter jointly with counsel for plaintiff, Virtual Studios Inc., to inform the Court that the parties were unable to resolve their dispute concerning Plaintiff's request for profits discovery, and have concluded that further attempts to meet and confer regarding that dispute would be fruitless. Consequently, the parties seek the Court's permission to file their respective motions: Plaintiff's motion to compel a response to its Interrogatory seeking information regarding Couristan's revenues derived from carpets for which Virtual created room scene images; and Defendant's motion for a protective order, an order striking as untimely Virtual's amended interrogatory answers and initial disclosures, which seek to expand Virtual's damage theory to add a claim for Couristan's profits as damages, and for sanctions in connection therewith.

Thus, by this letter, the parties jointly ask that the Court set a briefing schedule in connection with the contemplated motions.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert S. Weisbein". The signature is stylized and fluid, with a long horizontal stroke extending to the right.

Robert S. Weisbein

cc: Robert Margulies, Esq. (Via ECF)
Frank Catalina, Esq (Via ECF)
Jay Lubetkin, Esq. (Via ECF)